

**MINUTES**  
**RAINIER COMMUNICATIONS COMMISSION**  
**Wednesday, March 20, 2019**

**1. Call to Order**

President Derek Young called the meeting to order at 8:06 a.m. in the PCTV conference room, 2320 S. 19<sup>th</sup> Street, Tacoma, WA.

<u>Member</u>	<u>Representative</u>	<u>Present/Not Present</u>
DuPont (alt)	Erin Gowenlock	Present
Fife	Lisa McClellan	Present**
Orting	Mark Bethune	Not Present
Pierce County	Derek Young	Present
Pierce County (alt)	Kyle Schmidtke	Present
Puyallup	Brenda Fritsvold	Present
Ruston	TBD	Not Present
Sumner	Melony Pederson	Present**
Tacoma*	Jeff Lueders	Present
University Place	Steve Worthington	Present

\* Nonvoting member

\*\* via phone

**2. Approval of Agenda**

The meeting agenda was approved.

**3. Approval of Minutes**

The meeting minutes from February 13, 2019 were approved without correction.

**4. PCTV Update**

a) PCTV General Manager position

Derek Young mentioned that commissioners should have received an email from Libby Catalinich informing them that Megan Hutton is now the PCTV/RCC General Manager, removing the interim from her title. He stated he was thrilled with the decision.

Megan Hutton responded that she was excited and is looking forward to the changes going forward.

b) Cable Operations Specialist position

Megan Hutton reported that now her former Cable Operations Specialist position is open and she hopes to fill that in the next few months.

**5. Continuing Business**

a) FCC small cell appeal requires more RCC legal funds

Megan Hutton recalled that at the last RCC meeting \$7,500 was approved for legal support to join with others in the FCC small cell ruling appeal.

Derek Young clarified that this money was directed through the RCC legal budgeted expense account to help support the appeal to avoid preemption on regulation of small cell placement and retaining local authority.

Megan Hutton interjected that there is also a separate, ongoing legal issue with how PEG in-kind services are determined, that would affect the amount of franchise fee money jurisdictions would receive. This would involve the PEG channels and cable drops for public and government buildings including schools and libraries. Ken Fellman, legal consultant, is keeping an eye on this issue. More money is needed on this litigation that is in the Ninth Circuit so \$2,500 has been approved for that action.

## **6. New Business**

### **a) Broadband Study preview**

Derek Young reported on the Broadband Study that was ordered through the Pierce County Council Performance Audit Committee. He only gave a preview of the study that looked at the whole of Pierce County since the document has not been officially shared with that committee yet. He will send out the study once it has been released.

Derek Young gave an overview of the findings and next recommended steps including working together with all jurisdictions, developing regulation policies and looking at potential partnerships. He speculated about the role the RCC could play.

### **b) New subscriber numbers**

Megan Hutton pointed out the updated subscriber numbers for Comcast that were included in the meeting packet as requested. She explained that there was one area of growth but mostly a decline in cable subscribers overall.

Derek Young mentioned that since Gig Harbor is not a member, their subscriber numbers are not shown in the handout so hard to determine growth trends happening there. Steve Worthington echoed that University Place has seen negative impacts in utility taxes and PEG fees due to the loss of subscribers even though they have gained additional housing.

Megan stated that the capital fees are directly tied to the subscriber numbers and the franchise fee payments are based on gross revenues. She commented that the cable company's success is important to see as that directly impacts each jurisdiction's general fund

Jeff Lueders reiterated the issue with the FCC ruling on in-kind services could also affect franchise fee revenues.

### **c) Value of membership**

Megan Hutton outlined the breakdown information provided at the meeting about the value of membership. She went through all the benefits for paying into the RCC. She explained the shared resources available for franchise regulation and video programming in detail.

**7. Public Comment**

None.

**8. Commissioner Comments**

None.

**9. Adjourned** – at 9:12 am

2019 Meetings:

May 15 | July 17 | September 18 | November 20